

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAN AMERICAN AIRWAYS CORP.,

Plaintiff

v.

ROBERT E. BARNES

Defendant

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) **Case No. 04-CV-10515JLT**
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**PLAINTIFF'S ANSWER AND AFFRIMATIVE DEFENSES
TO
COUNT IV OF DEFENDANT'S COUNTERCLAIM**

Now comes the Plaintiff, Pan American Airways Corp. ("Pan Am") by and through its attorney, and answers Count IV of the Counterclaim of Defendant Robert E. Barnes ("Defendant") as follows:

Count IV – Intentional Infliction of Emotional Distress

55. Pan Am repeats and incorporates by reference its responses to paragraphs 34 through 54 of Defendant's Counterclaim as if set forth in their entirety herein.
56. Denied.
57. Denied.
58. Denied.
59. Denied.
60. Denied.

AFFIRMATIVE DEFENSES

Pan Am repeats and incorporates by reference its affirmative defenses, as set forth in its Answer to Defendant's Counterclaim, as if set forth in their entirety herein.

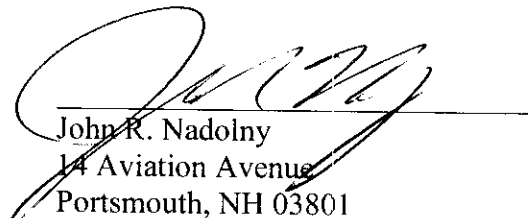
Wherefore, Pan Am respectfully requests that this Court grant it the following relief: 1) judgment in its favor on Count IV of Defendant's Counterclaim; 2) attorney's fees costs and interest as allowed by law; and 3) such other relief as this Court may deem just and proper.

Respectfully submitted,

Pan American Airways Corp.

By its attorney,

August 25, 2004

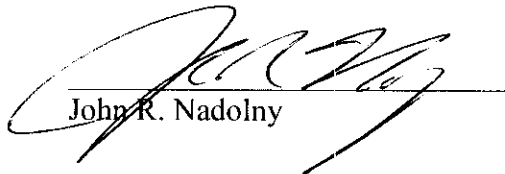


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CERTIFICATE OF SERVICE

I, John R. Nadolny, hereby certify that on August 25, 2004 I caused a copy of the foregoing documents to be served upon all parties of record by postage prepaid, overnight delivery, to the following address:

Peter Piel, Esq.
Law Office of Peter Piel
800 Turnpike Street Suite 300
North Andover, MA 01845


John R. Nadolny